

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
MICHELLE WILSON

Plaintiff,

-against-

NORTHWESTERN MUTUAL INSURANCE COMPANY,

Defendant.
-----X

Civil Action No. 07 CV 2790 (CLB)

**AFFIRMATION OF NORMAN L.
TOLLE IN SUPPORT OF
DEFENDANT'S MOTION FOR
SUMMARY JUDGMENT**

Norman L. Tolle affirms under the penalties of perjury as follows:

1. I am a partner in the law firm of Rivkin Radler LLP, counsel for The Northwestern Mutual Life Insurance Company (incorrectly named as Northwestern Mutual Insurance Company)("Northwestern Mutual"), and, as such, am fully familiar with all the facts and circumstances herein.
2. Attached hereto as Exhibit "1" is a copy of plaintiff, Michelle Wilson's, First Amended Complaint (the "Complaint") dated May 23, 2007 in which she seeks the proceeds of two life insurance policies issued by Northwestern Mutual to her late husband, Kenneth Wilson -- Whole Life Policy No. 16,852,083 and Term Life Policy No. 16,852,105 (collectively the "Policies").
3. Attached hereto as Exhibit "2" is a copy of Northwestern Mutual's Answer to the Complaint dated June 5, 2007.
4. Northwestern Mutual now moves pursuant to Federal Rule of Civil Procedure 56 for summary judgment dismissing the Complaint in its entirety.

5. The accompanying Memorandum of Law sets forth Northwestern Mutual's factual and legal arguments in support of its motion.

Dated: Uniondale, New York
January 31, 2008



NORMAN L. TOLLE, ESQ.

TO: Douglas R. Dollinger, Esq.
Douglas R. Dollinger & Associates
40 Matthews Street, Suite 101
Village of Goshen
Goshen, New York 10924

AFFIDAVIT OF SERVICE

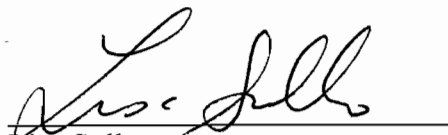
STATE OF NEW YORK)
) SS. :
COUNTY OF NASSAU)

I, Lisa Sullo being sworn, say:

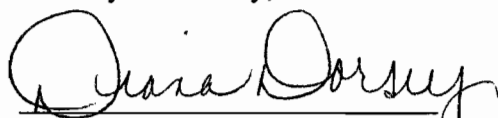
I am not a party to the action, am over 18 years of age and reside in West Babylon, New York.

On January 31, 2008, I served the within **Notice of Motion and Affirmation of Norman L. Tolle in Support of Defendant's Motion for Summary Judgment** by depositing a true copy thereof enclosed in a post-paid wrapper, in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State, addressed to each of the following persons at the last known address set forth after each name:

Douglas R. Dollinger & Associates
40 Matthews Street, Suite 101
Village of Goshen
Goshen, New York 10924


Lisa Sullo

Sworn to before me this
31th day of January, 2008


Notary Public

DIANA DORSEY
Notary Public, State of New York
No. 01DO6067959
Qualified in Nassau County
Commission Expires December 24, 2009